

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Toyoki UE, et al.

Art Unit: 2463

Appln. No.: 10/588,820

Exr. C. CHENG

Filed: May 7, 2007

Conf. No. 4643

For: SIGNALING MANAGEMENT IN DATA COMMUNICATION NETWORK

CORRECTED RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the Notice dated June 21, 2010, regarding the pending Election of Species Requirement, the Applicants hereby elect Embodiment I. Claims 23-28 and 32-37 are deemed to read thereon.

Applicants respectfully request withdrawal of the Election of Species Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Species in the same application. MPEP §803 states:

"If the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits even though it includes claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Election of Species Requirement is

maintained, it is clear that there is substantially more burden on Applicants by imposing the present Election than on the Patent Office if the Requirement were withdrawn.

In addition, it is noted that to require the claims of the various Species to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, to review closely related subject matter.

Therefore, withdrawal of the Election of Species Requirement is warranted.

Reconsideration and withdrawal of the Election of Species Requirement are respectfully requested.

Respectfully submitted,

/James Edward Ledbetter/

Date: July 21, 2010

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